

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Joseph Goodwin, Chester Grauberger,
Donald Hill, and Jacquard Larkin,

Civil No. 21-568 (DWF/DJF)

Plaintiffs,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

State of Minnesota *et al.*,

Defendants.

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Dulce J. Foster dated September 26, 2023 (Doc. No. 153). No objections have been filed to the Report and Recommendation in the time period permitted.

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. The Magistrate Judge recommended dismissing this action without prejudice for failure to timely effect service. Based upon the Report and Recommendation of the Magistrate Judge and upon all the files, records, and proceedings herein, the Court now enters the following:

ORDER

1. Magistrate Judge Dulce J. Foster's September 26, 2023, Report and Recommendation (Doc. No. [153]) is **ADOPTED**.

2. This action is **DISMISSED WITHOUT PREJUDICE** for failure to timely effect service.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 30, 2023

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge